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7

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 DAVEY L. BATTLE,)	
13 Plaintiff,)	CIVIL NO. 03-03980 PJH
14 v.)	STIPULATION AND ORDER
15 JO ANNE B. BARNHART,)	APPROVING COMPROMISE
16 Commissioner of Social Security,)	SETTLEMENT OF ATTORNEY
17 Defendant.)	FEEES PURSUANT TO THE EQUAL
)	<u>ACCESS TO JUSTICE ACT</u>

18 The plaintiff's attorney having met the criteria of L.R. 54-5, by meeting and conferring with
19 defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned
20 counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

21 1. Defendant shall pay ONE THOUSAND THREE HUNDRED TWO DOLLARS
22 (\$1,302.00), pursuant to the Equal access to Justice Act (EAJA), for attorney fees incurred in this
23 court action. ¹ The check is to be payable to plaintiff's counsel:

24 JOHN C. WILLBRAND
2280 DIAMOND BLVD., SUITE 440
25 CONCORD, CA 94520
(925) 676-8800; FAX (925) 798-0637

26 2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not
27 constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice
28 Act.

1/. This amount includes costs.

1 3. Payment of the ONE THOUSAND THREE HUNDRED TWO DOLLARS (\$1,302.00),
2 EAJA fees incurred in this court action, will constitute a complete release from and bar to any and all
3 claims, rights, causes of action, liens or subrogated interests relating to attorney fees pursuant to the
4 EAJA as a result of this court action.

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7
8 Dated: June 3, 2004

/s/
JOHN C. WILLBRAND
Attorney for Plaintiff


11 KEVIN V. RYAN
12 United States Attorney

13
14 Dated: June 7, 2004

By: /s/
SARA WINSLOW
Assistant United States Attorney

17 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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20
21 Dated: 10/26/05



PHYLLIS J. HAMILTON
United States District Judge